

BECKER & POLIAKOFF LLP

Helen Davis Chaitman, Esq. (4266)
45 Broadway
New York, New York 10006
hchaitman@bplegal.com

*Attorneys for Defendants RAR Entrepreneurial Fund, Ltd.
and Russell Oasis*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

RAR ENTREPRENEURIAL FUND, LTD., et
al.,

Defendants.

SIPA LIQUIDATION

Adv. Pro. No. 08-01789 (SMB)

(Substantively Consolidated)

Adv. Pro. No. 10-04352 (SMB)

Appeal No. _____

**NOTICE OF MOTION FOR LEAVE TO APPEAL
ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANTS' MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon a Memorandum of Law in Support and the
Declaration of Helen Davis Chaitman, Esq., together with exhibits annexed hereto, defendants
RAR Entrepreneurial Fund Ltd. and Russell Oasis (the "Movants"), by their undersigned

counsel, hereby move the Court at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date to be determined by the Court, for an Order pursuant to 28 U.S.C. § 158(a)(3) and the Federal Rules of Bankruptcy Procedure 8001 and 8003: (1) granting leave for leave to appeal, the July 16, 2015 order of the United States Bankruptcy Court for the Southern District of New York (Hon. Stuart M. Bernstein) denying in part and granting in part Movants' motion to dismiss to the extent the order denied Movants' motion to dismiss on the ground that the Irving H. Picard's financial stake in his quasi-governmental decisions violates Madoff's customers' due process rights; and (2) granting such other further relief in the Movants' favor as the Court deems just and proper.

In view of the exceptional circumstances and importance of the issue presented in this appeal, Movants respectfully requests oral argument in connection with this motion. *See* Fed. R. Bankr. P. 8003(b) (allowing district court to hear oral argument on motion for leave to appeal).

Dated: July 30, 2015
New York, New York

BECKER & POLIAKOFF LLP

By: /s/ Helen Davis Chaitman

Helen Davis Chaitman
45 Broadway
New York, New York 10006
Telephone: (212) 599-3322
Facsimile: (212) 557-0295
hchaitman@bplegal.com

*Attorneys for Defendants RAR
Entrepreneurial Fund, Ltd.
and Russell Oasis*